

**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
PO8233-1/RC-231

In re Application of: Ludger Heitiger, et al.

Application No.: 10/573,333

Filed: March 24, 2006

For: MICROGEL-CONTAINING THERMOPLASTIC ELASTOMER COMPOSITION

The owner, LANXESS Deutschland&Rhein Chemie Rheinau, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/573,217, filed March 24, 2006, as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 57,348

/NICANOR A. KOHNCKE/01/13/2012

Signature

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Nicanor A. Kohncke

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412-809-2234

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